

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION**

BACK TO BED, INC., an Illinois corporation,)	
)	
)	
Plaintiff)	
v.)	Case No. 07 C 6356
)	
MID-AMERICA MANAGEMENT CORPORATION, a Michigan corporation)	Judge Castillo
)	Magistrate Judge Brown
)	
Defendant.)	

**DEFENDANT MID-AMERICA MANAGEMENT CORPORATION'S
UNOPPOSED MOTION FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT**

Defendant Mid-America Management Corporation ("Mid-America"), by and through its undersigned counsel, and for its Motion for Extension of Time to Answer or Otherwise Respond to Plaintiff's Complaint, states as follows:

1. Plaintiff filed its Complaint on November 8, 2007.
2. Mid-America was served with summons on or about November 14, 2007. Pursuant to that summons, Mid-America was required to answer or otherwise respond to Plaintiff's Complaint by December 4, 2007.
3. On December 3, 2007, this Court granted Mid-America an extension of time to answer or otherwise respond to Plaintiff's Complaint up to and including January 4, 2007.
4. On January 4, 2007, Mid-America informed the Court that Mid-America does not believe that it is the proper defendant to this action, and that counsel for Plaintiff needed to see evidence of such before it would consider voluntarily amending the Complaint. Accordingly, Mid-America requested that this Court grant it an additional seven (7) days, up to and including January 11, 2008, to respond to Plaintiff's Complaint, provided that such response is necessary.

5. On January 7, 2007, this Court granted Mid-America the requested extension of time to answer or otherwise respond to Plaintiff's Complaint.

6. On January 11, 2007, Mid-America informed the Court that it had provided Plaintiff's counsel with evidence that it is not the proper party to this action, but that Plaintiff needed additional time to review the evidence submitted by Mid-America before agreeing to voluntarily amend or dismiss the Complaint. Accordingly, Mid-America requested that this Court grant it an additional seven (7) days, up to and including January 18, 2008, to respond to Plaintiff's Complaint, provided that such response is necessary.

7. On January 15, 2008, the Parties appeared before this Court for an initial status hearing. At that time, counsel for Plaintiff represented to the Court that it needed three weeks to conduct limited discovery on the issue of diversity before agreeing to voluntarily amend or dismiss the Complaint.

8. Accordingly, the Court granted Mid-America's third motion for extension of time to answer or otherwise respond to Plaintiff's Complaint, and continued the status hearing until February 5, 2008 at 9:45 a.m. It was the Parties understanding that Mid-America would not need to answer or otherwise respond to Plaintiff's Complaint until Plaintiff determined whether it will voluntarily amend or dismiss the Complaint.

9. On January 15, 2008, counsel for Mid-America received via the Northern District of Illinois electronic filing system the Court's January 15 minute order. The Order provides that Mid-America is to answer or otherwise respond to Plaintiff's Complaint on or before January 18, 2008.

10. Given Plaintiff's need for limited discovery on the issue of diversity, Mid-America requests that this Honorable Court further extend the deadline for Mid-America to

answer or otherwise respond to Plaintiff's Complaint to a date to be determined at the February 5, 2008 status hearing, provided that such response to necessary.

11. Counsel for Mid-America has contacted counsel for Plaintiff in connection with this Motion. Counsel for Plaintiff does not object to this Court's granting of this Motion.

12. No party will be prejudiced by the granting of this Motion.

WHEREFORE, Defendant Mid-America Management Corporation respectfully requests that this Court enter an Order granting it an extension of time to answer or otherwise respond to Plaintiff's Complaint to a date to be determined at the February 5, 2008 status hearing, and providing any further relief this Court deems just and appropriate.

Dated: January 18, 2008

Respectfully submitted,

MID-AMERICA MANAGEMENT CORP.

By: s/ Kristin H. Sculli

One of Its Attorneys

David T. Meehan
Kristin H. Sculli
McGuireWoods, LLP
77 West Wacker Drive, Suite 4100
Chicago, Illinois 60601-1635
Telephone: (312) 849-8100
Facsimile: (312) 849-3690

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 18th day of January, 2008, a copy of the foregoing **DEFENDANT MID-AMERICA MANAGEMENT CORPORATION'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT** was filed electronically. Notice of this filing will be sent to the following attorneys by operation of the Court's electronic filing system:

Stanley B. Block
Chad A. Schiefelbein
William W. Thorsness
Vedder, Price, Kaufman & Kammholz, P.C.
222 North LaSalle Street, Suite 2600
Chicago, Illinois 60601

s/Kristin H. Sculli